

Message Text

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ACTION ITFE-05

INFO OCT-01 ISO-00 DHA-02 ORM-01 EA-06 SS-15 VO-03 SCA-01

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FM AMEMBASSY VIENTIANE
TO SECSTATE WASHDC 4754
INFO AMEMBASSY BANGKOK
AMCONSUL UDORN

C O N F I D E N T I A L VIENTIANE 4792

STADIS//////////

E.O. 11652: GDS

TAGS: SREF, LA, TH, VS

SUBJ: REFUGEES FROM LAOS

REF: STATE 162140

1. WE WELCOME INDICATION FROM REFTEL AND STATE 158799 THAT DEPARTMENT PLANS TO CONSULT CONGRESS ABOUT PAROLE OF LAO REFUGEES. IN VIENTIANE WE DO NOT HAVE FULL APPRECIATION OF THEIR PLIGHT IN THAILAND, BUT MEMBERS OF OUR STAFF WHO RECENTLY SPENT WEEK OR MORE IN UDORN HAD SUFFICIENT CONTACT WITH FORMER MISSION EMPLOYEES AND OTHER LAO TO DETERMINE THAT FOR MANY OF THEM CONDITIONS ARE INDEED BAD.

2. WITH REGARD TO REFINING ESTIMATE OF NUMBER OF LAO WHO MIGHT SEEK ADMISSION TO U.S. FROM THAILAND (PARA 3, REFTEL), WE BELIEVE IT WOULD BE PRUDENT TO REVISE UPWARDS THE PREVIOUS ESTIMATE OF 1,500 TO PERHAPS 2,500. WE HAVE NO RPT NO SOLID STATISTICAL BASIS FOR SO RECOMMENDING (AND ON THIS POINT WOULD DEFER TO CONSULATE UDORN AND EMBASSY BANGKOK), BUT WE BELIEVE IT IS BETTER TO ERR ON HIGH SIDE. WE KNOW THAT A NUMBER OF LAO -- SOME BUT NOT ALL OF WHOM WOULD PRESUMABLY QUALIFY FOR PAROLE, ONCE AUTHORITY IS GRANTED, BY VIRTUE OF CLOSE IDENTIFICATION WITH USG IN
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PAST -- ARE BECOMING INCREASINGLY DISCOURAGED WITH POLITICAL

PROSPECTS HERE (FORMER MINISTER OF JUSTICE KHAMKING SOUVANLASY IS A LEADING EXAMPLE), AND/OR ARE HANGING ON IN LAOS ONLY UNTIL THERE IS SOME PROSPECT OF GETTING TO U.S. WITHOUT AN INDEFINITELY PROTRACTED AND COSTLY STAY IN THAILAND. WE WISH TO EMPHASIZE THAT WE ARE IN NO SENSE ENCOURAGING PERSONS IN THIS CATEGORY WITH WHOM WE ARE IN CONTACT TO FLEE LAOS OR SEEK ADMISSION TO THE U.S.; ON THE CONTRARY, WE ARE ACTIVELY DISCOURAGING, AS BEST WE CAN, FLIGHT FROM HERE, BUT WE ARE AWARE OF THEIR THINKING EITHER DIRECTLY OR THROUGH INTERMEDIARIES. THE FACT OR PROSPECT OF A MONTH'S "RE-EDUCATION" AT DONG GOK OR CHINAIMO MAY ALSO SPUR SOME FENCE-SITTERS TO LEAVE THE COUNTRY. WE BELIEVE THAT, IN THE END, A SUBSTANTIAL PROPORTION OF THE COUNTRY'S SMALL EDUCATED CLASS WILL CHOOSE TO LEAVE.

3. WITH REGARD TO DEPARTMENT'S CONCERN OVER "LARGE NUMBERS OF VIETNAMESE MOVED OUT OF UDORN INTO U.S. REFUGEE SYSTEM" (REFTEL, PARA 4), CONSULATE UDORN IS IN BEST POSITION TO PROVIDE TOTAL FIGURE. WE WISH DEPT TO UNDERSTAND, HOWEVER, THAT RESPONSIBILITY FOR THIS FLOW IS OURS AND NOT UDORN'S. WE HAVE OPERATED ON FOLLOWING BASIS: STATE 111667 AUTHORIZED SUCH MOVEMENT FOR VIETNAMESE-NATIONAL EMPLOYEES OF U.S. MISSION TO LAOS, FORMER GVN DIPLOMATS, AND IMMEDIATE RELATIVES OF BOTH. STATE 133652 CLARIFIED AND EXPANDED THIS AUTHORITY BY STATING THAT, IN ORDER TO "PREVENT THE BREAK-UP OF EXTENDED FAMILY" UNITS, A PERSON WHO MET THE CRITERIA FOR PAROLE IN ONE OF THE IMMEDIATE-RELATIVE CATEGORIES AND ALL OF SUCH PERSON'S RELATIVES TRAVELING WITH HIM OR HER WOULD ALSO BE ELIGIBLE. WE BELIEVE THIS AUTHORIZATION OPENED THE DOOR FOR FAMILIES OF PERSONS IN THE IMMEDIATE-RELATIVE CATEOGORY.

4. ON THIS BASIS, WE HAVE CERTIFIED FOR PAROLE PERSONS AND THEIR IMMEDIATE RELATIVES TRAVELING WITH THEM WHO ARE CLOSE RELATIVES OF U.S. CITIZENS, OF RESIDENT ALIENS, OR OF REFUGEES ALREADY ADMITTED TO THE U.S. UNDER THE CURRENT PAROLE AUTHORITY. CONSULATE UDORN HAS IN EVERY CASE ASKED FOR OUR CERTIFICATION OF EMPLOYESS OF U.S. AND FORMER SOUTH VIETNAMESE MISSIONS HERE AND THEIR RELATIVES. IN CASES WHERE WE HAVE HAD NO EVIDENCE OF

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RELATIONSHIP, UDORN HAS SUBMITTED VISAS FALCON CABLES. HOWEVER, WE HAVE UNDERSTOOD THAT WE COULD CERTIFY THOSE RELATIVES OF MISSION EMPLOYEES WHO COULD PRESENT TO US PROOF OF SUCH RELATIONSHIP (BIRTH CERTIFICATE OR LIVRET DE FAMILLE). AT SAME TIME, WE AND UDORN HAVE REJECTED NUMEROUS PERSONS WHO HAD NO CONNECTION OR ONLY TENUOUS CONNECTION WITH THIS MISSION (E.G., A VIETNAMESE WHO PLAYED IN DANCE BAND AT AMERICAN COMMUNITY ASSOCIATION IN VIENTIANE) OR WHO COULD

NOT PROVE RELATIONSHIP IN MANNER DESCRIBED ABOVE. THERE HAVE BEEN A FEW CASES OF ATTEMPTED FRAUD, BUT WE BELIEVE THAT UDORN THROUGH CAREFUL SCREENING AND CONSULTATION WITH US HAS CONFINED ENTRY INTO REFUGEE FLOW TO THOSE PERSONS WHO QUALIFIED ON BASIS OF OUR INTERPRETATION OF STATE 133652.

5. UDORN LAST MONTH RAISED WITH US ESSENTIALLY THE SAME QUESTION POSED IN PARA 4 OF REFTTEL: WHERE WILL PROCESS END IF IMMEDIATE RELATIVES OF PREVIOUSLY PAROLED REFUGEES CAN TRAVEL TO THE U.S. WITH THEIR OWN IMMEDIAE FAMILIES? WE SEE NO CLEAR-CUT ANSWER TO THIS QUESTION. HOWEVER, FLOW OF VIETNAMESE REFUGEES FROM LAOS APPEARS IN ANY EVENT TO HAVE TAPERED OFF IN LAST WEEK OR TWO.

6. WE TRUST DEPT WILL INFORM US IF WE HAVE MISCONSTRUED AUTHORITY CONTAINED IN STATE 133652 AND AT THE SAME TIME TELL US WHAT IT CONSIDERS TO BE A LOGICAL, EQUITABLE AND HUMANE CUT-OFF POINT.
CHAPMAN

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